



1 WHEREAS, in order to facilitate filing of the First Amended Complaint  
2 without the need for a motion for leave to amend the Complaint, Defendants are  
3 agreeable to the filing of the First Amended Complaint, without admitting and  
4 reserving all rights to dispute and deny the allegations contained therein; and

5 WHEREAS, the Fact Discovery Cutoff Date is November 19, 2014, and the  
6 Expert Witness Discovery Date is February 13, 2015, and the parties agree that  
7 additional time is needed to complete discovery in light of the proposed amended  
8 complaint;

9 NOW, THEREFORE, Plaintiff GOTHAM INSURANCE COMPANY and  
10 Defendants SHASTA TECHNOLOGIES, LLC, INSTACARE CORP., and  
11 PHARMATECH SOLUTIONS, INC. hereby stipulate and agree, by and thorough  
12 their respective counsel of records, that Court may enter an order:

- 13 1. Granting Plaintiff leave to file its First Amended Complaint in the form  
14 attached hereto, and upon entry of such order, the First Amended  
15 Complaint shall be deemed filed and served; and
- 16 2. Modifying the Case Management Order to reflect a new Fact Discovery  
17 Cutoff of January 19, 2015, and a new Expert Discovery Cutoff of March  
18 13, 2015.

19 IT IS SO STIPULATED.

20 Dated: July 24, 2014

PLAGER SCHACK LLP

21  
22 By: /s/Mark H. Plager  
23 Mark H. Plager  
24 Attorneys for Plaintiff and Counter  
25 Defendant Gotham Insurance  
26 Company  
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1 Dated: July 24, 2014

Baer & Troff LLP

2  
3 By: /s/Eric Troff  
Eric Troff, Esq.  
4 Attorneys for Defendants  
Instacare Corp., and Pharmatech  
5 Solutions, Inc.

6 Dated: July 24, 2014

OGLOZA AND FORTNEY

7  
8 By: /s/David Fortney  
David Fortney, Esq.  
9 Attorneys for Defendant / Counter  
10 Claimant Shasta Technologies,  
Inc.

11 **ORDER**

12 Good cause appearing therefore, PURSUANT TO STIPULATION, it is  
13 hereby ordered that:

- 14 1. Plaintiff Gotham Insurance Company is granted leave to file its First  
15 Amended Complaint, and that the First Amended Complaint attached  
16 hereto is hereby deemed filed and served as of the date of entry of this  
17 order; and  
18 2. The Case Management Order is hereby modified to reflect a new Fact  
19 Discovery Cutoff of January 19, 2015, and a new Expert Discovery  
20 Cutoff of March 13, 2015.

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: \_\_\_\_\_

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23 United States District Court Judge  
24 Beth Labson Freeman  
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